

# Office of Environmental Health Hazard Assessment

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**MEMORANDUM**




Terry Tamminen  
Agency Secretary



Arnold Schwarzenegger  
Governor

**TO:** Mr. Dan Ray  
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**FROM:** Anna M. Fan, Ph.D., Chief   
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**DATE:** July 14, 2004

**SUBJECT:** COMMENTS ON ECOSYSTEM RESTORATION PROGRAM 2002  
PROPOSAL SOLICITATION PACKAGE PROPOSAL #130DA: A PILOT  
REGIONAL MONITORING PROGRAM FOR MERCURY IN FISH IN THE  
BAY-DELTA WATERSHED.

Thank you for the opportunity to submit comments on the Ecosystem Restoration Program 2002 Proposal Solicitation Package Proposal #130DA: "A Pilot Regional Monitoring Program for Mercury in Fish in the Bay-Delta Watershed." This proposal would fund monitoring of fish by the San Francisco Estuary Institute and others and communication by the Environmental Health Investigation Branch of California Department of Health Services. I have asked Dr. Robert Brodberg of my staff to review the proposal and comment on its relationship and impact on our fish advisory program. We have comments on three major issues: 1) the proposal only covers monitoring and communication but does not incorporate the process of risk assessment and developing fish consumption advisories using monitoring data; these activities are mandated to the Office of Environmental Health Hazard Assessment (OEHHA) and the proposal does not include direct collaboration with OEHHA; 2) new and expanded activities require expanded funding; and 3) the proposed monitoring may leave some gaps in data needed to assess the risks of fish consumption.

OEHHA is supportive of the broad objectives (monitoring and communication) of this proposal, but we are concerned that it does not address the issue of the resulting unfunded workload on OEHHA. As written, the proposal does not incorporate a discussion of the existing state program in OEHHA for assessing and managing risks from consumption of contaminated fish. On the other hand, in practice, OEHHA will be expected to analyze and evaluate these

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monitoring data and to conduct risk assessments using these data to determine the associated human health impacts because OEHHA is the state agency that is responsible for assessing risks associated with fish consumption and is also responsible for issuing fish consumption advisories in the Bay-Delta area and statewide. OEHHA also incorporates new advisories into our current local and statewide risk communication efforts aimed at reducing exposures to mercury and other contaminants in fish. The major issue is that recent budget changes have further reduced OEHHA's resources necessary to assess the risks and issue consumption advice for all of the water bodies that might be monitored in this proposal while maintaining ongoing risk assessment and communication activities throughout the state. Risk assessment and development of consistent consumption advice are critical steps between monitoring and communication, all of which require extensive effort, time, and specialized expertise. These steps cannot be addressed through this proposal. OEHHA's active involvement is central to determining what should be communicated to the public to reduce exposure and risks, but this is not mentioned in this proposal. Some additional directed funding through the California Bay Delta Program should be considered to support OEHHA's activities in the Bay-Delta area to ensure that the intent of the current proposal is successful. Risk assessment and developing consumption advice are also key goals in Core Component #4 of Mercury Strategy for the Bay-Delta Ecosystem but they are difficult to incorporate in standard Ecosystem Restoration Proposals.

OEHHA is also concerned with contaminants other than mercury in fish and with the broad variety of fish people eat. OEHHA encourages the study authors to sample a broad variety of fish as part of their monitoring effort and to archive samples for future use. OEHHA also encourages the study authors to consider using randomized site selection for some sampling as part of a multi-tier monitoring approach. This could yield results more representative of the range of conditions in Bay-Delta water bodies to complement past sampling which has been biased toward water bodies and fish believed to be most problematic. On a short-term basis fish consumption advisories are recognized as an effective means of reducing exposure and risk to mercury and other chemical contaminants. OEHHA needs monitoring data on multiple fish species, not just indicator species, to provide the best advice to the public on safer choices for fish consumption. Some additional directed funding through the California Bay Delta Program should be considered to support analyses of organic contaminants in fish collected in the current proposal. Future or concurrent analysis of other contaminants will enable OEHHA to assess the risk of these contaminants to ensure that consumption advice based on mercury is also protective of risks from other contaminants.

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Thank you again for this opportunity to comment. Should you have any questions on these comments, please contact Dr. Robert Brodberg at (916) 323-4763.

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